

Gabroy Law Offices
Christian Gabroy
170 S. Green Valley Parkway
Suite 280
Henderson, Nevada 89012
Tel: (702) 259-7777
Fax: (702) 259-7704
Christian@gabroy.com

Attorney for Plaintiff Alan Samuels

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALAN SAMUELS,

Plaintiff,

vs.

DANA KEPNER COMPANY, INC., ET. AL.,

Defendants.

Case No. 2:10-cv-00686-JCM-RJJ

JOINT INTERIM STATUS REPORT

JOINT INTERIM STATUS REPORT

Pursuant to Local Rule 26-3 and the Scheduling Order entered by the Court on July 20, 2010, the parties, by and through their respective counsel of record, submit the following Joint Interim Status Report:

1. Plaintiffs' Complaint was originally filed on May 12, 2010 in this District. Plaintiff filed an Amended Complaint on or about May 19, 2010.

2. Subsequently, on June 7, 2010, Defendants filed its Answer.

3. After motion practice, an additional named defendant was dismissed without prejudice. Such additional named party has been named as a defendant in state court.

4. Upon the parties' request, the ENE was continued until October 14, 2010. The October 14, 2010 ENE has been continued in anticipation of the parties settling this matter.

1 5. Discovery is proceeding. Plaintiff and Defendants have served their Initial
2 Disclosures. Plaintiff served requests to admit, requests to produce, and requests to admit which
3 have been answered. Defendant, on or about September 24 ,2010, served requests to produce
4 and interrogatories. Plaintiff's deposition has been noticed for October 28, 2010.

5 6. It is anticipated that the remaining discovery to be conducted in this case will
6 consist of the depositions of Plaintiff(s), Defendants, and a number of other witnesses. The
7 parties will work together to schedule these depositions. The parties also anticipate that
8 supplemental written discovery in the form of interrogatories, admissions, and requests for
9 production of documents may be needed in this matter.

10 7. Pursuant to the Scheduling Order entered by the Court on July 21, 2010, the
11 current discovery cutoff is December 6, 2010. This deadline is anticipated to be near the
12 continued ENE session in which both parties will attempt settlement.

13 8. Inasmuch as the ENE will impact the nature and scope of how this case will
14 proceed with respect to the claims and parties, the parties may have to submit an extension of
15 discovery in this matter.

16 9. Defendant and Plaintiff anticipate filing dispositive motions which may affect the
17 outcome of this case. The deadline for the filing of any such motion is anticipated to be thirty
18 (30) days following the extended discovery deadline.

19 10. The following dates are currently available for trial for all parties: October 17-
20 November 11, 2011.

21 11. At this juncture, the parties estimate that the time required for trial would be
22 approximately five (5) days.

23 DATED this 15th day of October, 2010.
24
25
26
27
28

1	GABROY LAW OFFICES	JACKSON LEWIS
2		
3	By: <u>/s/ Christian Gabroy</u>	By: <u>/s/ Lisa McClane</u>
4	Christian Gabroy #8805	Lisa A. McClane #10139
5	The District at Green Valley Ranch	Jackson Lewis
6	170 South Green Valley Parkway	3960 Howard Hughes Parkway
7	Suite 280	Suite 450
8	Henderson, Nevada 89012	Las Vegas, Nevada 89169
9	Tel: (702) 259-7777	Tel: (702) 921-2460
	Fax: (702) 259-7704	Fax: (702) 259-2461
		Attorneys for Defendant Dana Kepner
	Attorneys for Plaintiff	Company, Inc.